

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tyler Walls	Team: Squad #6	CCRB Case #: 201910647	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 12/11/2019 9:25 AM	Location of Incident: [REDACTED]	Precinct: 01	18 Mo. SOL 6/11/2021	EO SOL 1/26/2022	
Date/Time CV Reported Wed, 12/11/2019 4:13 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 12/11/2019 4:13 PM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Witness(es)	Home Address				
[REDACTED]	[REDACTED]				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Amauri Zoquier	23342	927706	CW T TF		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Amauri Zoquier	Force: Police Officer Amauri Zoquier used physical force against § 87(2)(b) [REDACTED]			[REDACTED]	
§ 87(2)(b), § 87(4-b), § 87(2)(g)	[REDACTED]			[REDACTED]	

Case Summary

On December 11, 2019, § 87(2)(b) filed the following complaint with the CCRB over the phone.

On December 11, 2019, at approximately 9:25 a.m., § 87(2)(b) stood in front of his office building at § 87(2)(b) in Manhattan with an acquaintance named § 87(2)(b) and an unknown individual. § 87(2)(b) saw PO Amauri Zoquier of the Citywide Traffic Task Force issuing a summons. § 87(2)(b) complained to PO Zoquier that his three-wheeled was parked on the sidewalk. PO Zoquier approached § 87(2)(b) to speak to him. § 87(2)(b) raised his hand and PO Zoquier struck § 87(2)(b)'s forearm (**Allegation A: Force: § 87(2)(g)**). PO Zoquier left without further incident. § 87(2)(b) was not arrested or issued a summons.

§ 87(4-b), § 87(2)(g)

The investigation obtained BWC footage of this incident.

Findings and Recommendations

Allegation (A) Force: Police Officer Amauri Zoquier used physical force against § 87(2)(b)

The physical force was not captured on PO Zoquier's BWC as he activated his BWC after physical contact was made.

§ 87(2)(b) testified that he stood in front of § 87(2)(b) in Manhattan with his colleague, § 87(2)(b) and an unidentified individual. PO Zoquier issued summonses to vehicles while his three-wheeled scooter was parked in front of a fire lane sign. § 87(2)(b) complained that PO Zoquier was improperly parked. PO Zoquier approached § 87(2)(b) and stood four to five feet away and said that his vehicle was not parked. As § 87(2)(b) was smoking, PO Zoquier asked § 87(2)(b) to step back because the smoke from § 87(2)(b)'s cigarettes was in his face. § 87(2)(b) said he did not need to move back because PO Zoquier approached him first. When § 87(2)(b) pointed at the 'No Parking' sign in front of PO Zoquier's scooter, PO Zoquier made a fist and swung his forearm downwards onto § 87(2)(b)'s forearm. Due to this action § 87(2)(b)'s arm lowered. arm. § 87(2)(b) called 9-1-1. PO Zoquier entered his scooter and left without further incident (**BR 01**).

§ 87(2)(b) was not cooperative with an in-person interview but provided a telephone statement. § 87(2)(b) confirmed that § 87(2)(b) asked PO Zoquier about his improperly parked scooter. PO Zoquier approached § 87(2)(b). As § 87(2)(b) spoke to PO Zoquier, § 87(2)(b) pointed to the left towards the vehicles that received the summonses. § 87(2)(b) pointed at a 90 degree angle away from PO Zoquier without making contact with the officer. PO Zoquier used his left hand and back slapped § 87(2)(b)'s right arm which held the cigarette. § 87(2)(b) asked PO Zoquier why he slapped his arm. PO Zoquier told both § 87(2)(b) and § 87(2)(b) that they needed to back up. In response, § 87(2)(b) and § 87(2)(b) told PO Zoquier that he needed to back up because it was the officer that approached them. PO Zoquier proceeded to issues summonses to vehicles and then left the scene (**BR 02**).

Neither § 87(2)(b) nor § 87(2)(b) knew the name of the individual who stood next to them during this incident.

PO Zoquier testified that as he summonsed vehicles in the area, he heard an individual, § 87(2)(b) yell at him. PO Zoquier approached § 87(2)(b) and stood approximately three to four feet away from him. PO Zoquier asked him to repeat what he said. § 87(2)(b) asked PO Zoquier how he could issue summonses to vehicles when PO Zoquier, himself committed a violation by parking his scooter in a fire lane. PO Zoquier responded that he was doing his job. § 87(2)(b) moved closer to PO Zoquier and stood approximately a foot or a foot and a half away. PO Zoquier asked § 87(2)(b) to step back because the cigarette § 87(2)(b) was smoking, may burn him. § 87(2)(b) gestured with his hands as he spoke and § 87(2)(b)'s arm came within a foot length from PO Zoquier's left leg. PO Zoquier used the open palm of his left hand to push § 87(2)(b)'s arm

downward to move his arm away from him. PO Zoquier used force because he believed that § 87(2)(b)'s cigarette would burn him (BR 03).

PO Zoquier did not prepare a TRI because he did not believe the incident required it.

It is undisputed that PO Zoquier used force by pushing § 87(2)(b)'s arm down. § 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR 05).
- PO Zoquier has been a member-of-service for 19 years. This is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- § 87(2)(b)
- A Notice of Claim Inquiry was submitted to the NYC Comptroller's Office on March 3, 2020 and will be included in the case filed upon receipt (BR 07).

Squad No.: 6

Investigator: Tyler Walls 3/25/2020
Signature Print Title & Name Date

Squad Leader: Jessica Pena 3/25/2020
Signature Print Title & Name Date

Reviewer:

Signature

Print Title & Name

Date